

Attorney or Party Name, Address, Telephone & FAX Numbers, State Bar Number & Email Address JAMIE LYNN GALLIAN 16222 MONTEREY LANE UNIT 376 HUNTINGTON BEACH, CA 92649 (714) 321-3449 jamiegallian@gmail.com <input checked="" type="checkbox"/> Debtor appearing without attorney <input type="checkbox"/> Attorney for Debtor	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION	
In re: JAMIE LYNN GALLIAN Debtor(s).	CASE NUMBER: 8:21-bk-11710-ES CHAPTER: 7 DEBTOR'S NOTICE OF MOTION AND MOTION TO AVOID LIEN UNDER 11 U.S.C. § 522(f) (REAL PROPERTY) [No hearing required unless requested under LBR 9013-1(o)]
Creditor Name: The Huntington Beach Gables Homeowners Association	

TO THE CREDITOR, ATTORNEY FOR CREDITOR AND OTHER INTERESTED PARTIES:

1. **NOTICE IS HEREBY GIVEN** that Debtor moves this court for an order, pursuant to LBR 9013-1(o) upon notice of opportunity to request a hearing (i.e., without a hearing unless requested), avoiding a lien on the grounds set forth below.
2. **Deadline for Opposition Papers:**
Pursuant to LBR 9013-1(o), any party opposing the motion may file and serve a written opposition and request a hearing on this motion. If you fail to file a written response within 14 days of the date of service of this notice of motion and motion, plus an additional 3 days unless this notice of motion and motion was served by personal delivery or posting as described in Federal Rules of Civil Procedure 5(b)(2)(A)-(B), the court may treat such failure as a waiver of your right to oppose this motion and may grant the requested relief.

"Bankruptcy Code" and "11 U.S.C." refer to the United States Bankruptcy Code, Title 11 of the United States Code.
"FRBP" refers to the Federal Rules of Bankruptcy Procedure. "LBR" and "LBRs" refer to the Local Bankruptcy Rule(s) of this court.

This form is optional. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

3. **Type of Case:**

- a. ☒ A voluntary petition under Chapter ☒ 7 ☐ 11 ☐ 12 ☐ 13 was filed on: 07/09/2021
- b. ☐ An involuntary petition under Chapter ☐ 7 ☐ 11 was filed on: _____
- ☐ An order of relief under Chapter ☐ 7 ☐ 11 was entered on: _____
- c. ☐ An order of conversion to Chapter ☐ 7 ☐ 11 ☐ 12 ☐ 13 was entered on: _____
- d. ☐ Other: _____

4. **Procedural Status:**

- a. ☒ Name of Trustee appointed (if any): JEFFREY GOLDEN
- b. ☒ Name of Attorney for Trustee (if any): Danning, Gill, Israel & Krasnoff, L.L.P.

5. Debtor claims an exemption in the subject real property under:

- a. ☒ California Code of Civil Procedure § 704.930 (Homestead): Exemption amount claimed on schedules: \$ 600,000.00
- b. ☐ California Code of Civil Procedure § _____ Exemption amount claimed on schedules: \$ _____
- c. ☒ Other statute (specify): Declared Homestead filed 7/9/2021

6. Debtor's entitlement to an exemption is impaired by a judicial lien, the details of the lien are as follows:

- a. Date of entry of judgment (specify): _____
- b. Case name (specify): See Attachment A
- c. Name of court: Orange County Superior Court
- d. Docket number (specify): See Att. A
- e. Date (specify): _____ and place (specify) See Att. A
of recordation of lien
- f. Recorder's instrument number (specify): See Att. A

7. The property claimed to be exempt is as follows:

- a. Street address, city, county and state, where located, (specify): 16222 Monterey Lane Unit 376
Huntington Beach, CA 92649 (Fair Market Value Debtors interest \$235,000.00)
- b. Legal description (specify): See Attachment B
- _____ ☐ See attached page

8. Debtor acquired the property claimed as exempt on the following date (specify): 11/01/2018

9. Debtor alleges that the fair market value of the property claimed exempt is: \$ 235,000.00

10. The subject property is encumbered with the following liens (list mortgages and other liens in order of priority and place an "X" as to the lien to be avoided by this motion):

Name of Lienholder	"X"	Date Lien Recorded	Original Lien Amount	Current Lien Amount	Date of Current Lien
None	<input type="checkbox"/>		\$	\$	
	<input type="checkbox"/>		\$	\$	
	<input type="checkbox"/>		\$	\$	
	<input type="checkbox"/>		\$	\$	

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11. Debtor attaches copies of the following documents in support of the motion (as appropriate):

- a. ☒ Schedule C to bankruptcy petition listing all exemptions claimed by Debtor
- b. ☐ Appraisal of the property
- c. ☐ Documents showing current balance due as to the liens specified in paragraph 11 above
- d. ☒ Recorded Abstract of Judgment
- e. ☒ Recorded Declaration of Homestead (Homestead Exemption)
- f. ☒ Declaration(s)
- g. ☒ Other (*specify*):
Preliminary Title Report dated October 18, 2018, sold 10/31/2018, APN 937-630-53, debtors previous home w/o any Huntingting Beach Gables Homeowners Association liens att. to property; Curr. HCD Certificate of Title.

12. Total number of attached pages of supporting documentation: _____

13. Debtor declares under penalty of perjury under the laws of the United States of America that the foregoing is true and correct [28 U.S.C. § 1746(1) and (2)].

WHEREFORE, Debtor requests that this court issue an order avoiding Creditor's lien in the form of the **Attachment** to this motion.

Executed on (date): 07/08/2022



Signature of Debtor

JAMIE LYNN GALLIAN

Printed name of Debtor

Date: _____

Signature of Attorney for Debtor

Printed name of Attorney for Debtor

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**ATTACHMENT TO MOTION/ORDER
(11 U.S.C. § 522(f): AVOIDANCE OF REAL PROPERTY JUDICIAL LIENS)**

This court makes the following findings of fact and conclusions of law:

1. **Creditor Lienholder/Service:** The Huntington Beach Gables Homeowners Association
2. **Subject Lien:** Date and place of recordation of lien (*specify*): Orange County Superior Court - See Attached
recording dates and recorder's instrument numbers (See Attachment A)

Recorder's instrument number or document recording number: (See Attachment A)
3. **Collateral:** Street address, city, county and state, where located, legal description and/or map/book/page number, including county of recording:
16222 Monterey Lane Unit 376 Huntington Beach, CA 92649 (See Attachment B)
☐ See attached page.
4. **Secured Claim Amount**
 - a. Value of Collateral: \$ 235,000.00
 - b. Amounts of Senior Liens (reducing equity in the property to which the subject lien can attach):
 - (1) First lien: (\$)
 - (2) Second lien: (\$)
 - (3) Third lien: (\$)
 - (4) Additional senior liens (*attach list*): (\$)
 - c. Amount of Debtor's exemption(s): (\$ 600,000.00)
 - d. Subtotal: (\$ 600,000.00)
 - e. Secured Claim Amount (negative results should be listed as -\$0-): \$ 0.00

Unless otherwise ordered, any allowed claim in excess of this Secured Claim Amount is to be treated as a nonpriority unsecured claim and is to be paid pro rata with all other nonpriority unsecured claims (in Chapter 13 cases, Class 5A of the Plan).
5. **Lien avoidance:** Debtor's request to avoid the Subject Lien is granted as follows. The fixing of the Subject Lien impairs an exemption to which Debtor would otherwise be entitled under 11 U.S.C. § 522(b). The Subject Lien is not a judicial lien that secures a debt of a kind that is specified in 11 U.S.C. § 523(a)(5) (domestic support obligations). The Subject Lien is void and unenforceable except to the extent of the Secured Claim Amount, if any, listed in paragraph 4.e. above.

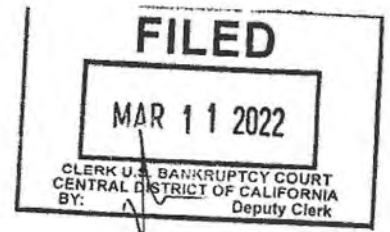
☐ See attached page(s) for more liens/provisions.

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HOMESTEAD DECLARATION

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA



In re: JAMIE LYNN GALLIAN

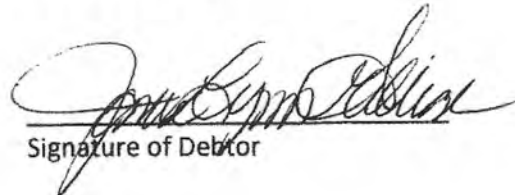
CASE NO. 8:21-bk-11710-ES

Debtor

Verification of Declaration of Homestead filed with
Orange County Clerk Recorder
DOC NO. 2021000443659

The above-named Debtor(s) hereby verify that the attached Homestead Declaration is a true and correct copy to the best of the knowledge.

Date: 3/9/2022


Signature of Debtor

Michael S. Devereux
Wex Law
9171 Wilshire Blvd. Ste. 500
Beverly Hills, CA 90210-5536

Orange County Alternate
Defenders Office
600 W. Santa Ana, Ste. 600
Santa Ana, CA 92701

Orange County Public Defender
801 Civic Center Drive, West
Santa Ana, CA 92702

Patricia Ryan
20949 Lassen St. Apt 208
Chatsworth, CA 91311-4239

People of the St of CA
8141 13th Street
Westminster, CA 92683-4576

Randell Nickel
c/o Mark Mellor, Esq.
6800 Indiana Ave. Ste. 220
Riverside, CA 92506-4267

Raquel Flyer-Dashner
4120 Birch St. Ste. 101, Newport
Beach, CA 92660-2228

Randall Nickell
4476 Alderport Dr.
Huntington Beach, CA 92649-2288

Robert P. Warmington Co.
c/o BS Investors LP
18201 Von Karmen Ste. 450
Irvine, CA 92612-1195

Rutan & Tucker
18575 Jamboree Rd. 9th FL Irvine,
CA 92612

Superior Court of California
County Of Orange
711 Civic Center Drive, West
Santa Ana, CA 92701

Sandra L. Bradley
18 Meadowwood,
Coto De Caza, 92679

Steven A. Fink
13 Corporate Plaza Ste. 150
Newport Beach, CA 92660-7919

Suzanne Tague Ross Wolcott,
Teinert, Prout
3151 Airway Ave. S-1
Costa Mesa, CA 92626-4627

Stanley Feldsott: Esq
Feldsott & Lee
23161 Mill Creek Drive Ste. 300
Laguna Hills, CA 92653-7907

The Huntington Beach Gables
Homeowners Association
c/o Epstein Grinnell & Howell APC
10200 Willow Creek Road, Ste 100
San Diego, CA 92131-1669

Theodore Phillips
17612 Sandea Lee
Huntington Beach, CA 92649

S 4, A California Limited
Partnership
1001 Dove Street Ste. 230
Newport Beach, CA 92660

United Airlines
233 S. Hacker Dr.
Chicago, IL 60606-6462

United Airlines
P.O. Box 0675
Carol Stream, 60132-0675

US BANK
PO Box 5229
Cincinnati, OH 45201-5229

Vivienne J Alston
Alston, Alston & Diebold
27201 Puerta Real Ste 300
Mission Viejo, CA 92691-8590

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Recording Requested by :

J-SANDCASTLE CO LLC

JAMIE LYNN GALLIAN
16222 MONTEREY LANE #376
HUNTINGTON BEACH, CA 92649

When recorded mail to:

JAMIE LYNN GALLIAN
16222 MONTEREY LANE #376
HUNTINGTON BEACH, CA 92649

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder

88.00

2021000443659 12:48 pm 07/09/21

18 414A D04 2
0.00 0.00 0.00 0.00 3.00 0.00 0.000.0075.00 3.00

HOMESTEAD DECLARATION

CCP \$704.930

SPACE ABOVE THIS LINE FOR RECORDER USE ONLY

APN#: 891-569-62

1. Name(s) of Declared Homestead owners:

JAMIE LYNN GALLIAN

, do hereby claim a Declared

Homestead in the following real property located in:

the City of HUNTINGTON BEACH, CA, County of ORANGE, State of California,

more commonly known as:

16222 MONTEREY LANE SPACE 376 HUNTINGTON BEACH, CA 92649

(Insert Common Street Address Above)

and more particularly described as follows:

2014 SKYLINE CUSTOM VILLA DECAL NO. LBM1081 SERIAL NO. AC7V710394GB; AC7V710394GA; LOCATED ON LOT 376
ON APN 178-011-16, TRACT 10542, UNIT 4, PARCEL MAP BOOK 108, PG(S) 47 & 48

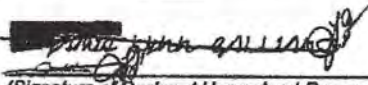
(Insert Property Legal Description Above)

2. The Declared Homestead is the principal dwelling of the Declared Homestead Owner(s) listed above or such person(s) spouse.

3. The Declared Homestead Owner(s) listed above, or such person(s) spouse, resides in the Declared Homestead on the date this Homestead Declaration is recorded.

4. The facts stated in this Homestead Declaration are known to be true as of the personal knowledge of the person(s) below executing and acknowledging this Homestead Declaration.

Dated: 07/08/2021



(Signature of Declared Homestead Owner or Spouse)

JAMIE LYNN GALLIAN

(Printed Name of Declared Homestead Owner or Spouse)



(Signature of Declared Homestead Owner or Spouse)

JAMIE LYNN GALLIAN

(Printed Name of Declared Homestead Owner or Spouse)

(See Attached Acknowledgment)

IT
2P
SB
PK

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

On 7/9/21 before me, Greg Buysman, Notary Public
(insert name and title of the officer)

personally appeared Danice Lynn Galligan
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Greg Buysman (Seal)



0↓

EXHIBIT A

EXHIBIT A

Fill in this information to identify your case and this filing:

Debtor 1 **Jamie Lynn Gallian**
First Name Middle Name Last Name
Debtor 2
(Spouse, if filing) First Name Middle Name Last Name
United States Bankruptcy Court for the: **CENTRAL DISTRICT OF CALIFORNIA-SANTA ANA DIVISION**
Case number **8:21-bk-11710-ES**

☐ Check if this is an amended filing

Official Form 106A/B Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☐ No. Go to Part 2.
☒ Yes. Where is the property?

1.1

16222 Monterey Ln. Unit 376

Street address, if available, or other description

Huntington Beach CA 92649-0000
City State ZIP Code

Orange
County

What is the property? Check all that apply

- ☐ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☒ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? **\$ unknown**
Current value of the portion you own? **\$235,000.00**

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

Existing 1979 80 year Ground Leasehold Parcel 1 & 2 Tract 10542, Unit(s) 1,2,3,4

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number: **LPT 891-569-62**

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here.....=>

\$235,000.00

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

Debtor 1 **Jamie Lynn Gallian**

Case number (if known) **8:21-bk-11710-ES**

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

- ☒ No
☐ Yes

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories
Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

- ☒ No
☐ Yes

5. Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>

\$0.00

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

- ☐ No
☒ Yes. Describe.....

Misc. household goods and furnishings
Location: 16222 Monterey Lane, Space 376, Huntington Beach CA 92649

\$3,500.00

waterford crystal set red and white wine glasses

\$1,000.00

7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

- ☐ No
☒ Yes. Describe.....

Wall television, computer, printer and peripherals
Location: 16222 Monterey Lane, Space 376, Huntington Beach CA 92649

\$500.00

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

- ☐ No
☒ Yes. Describe.....

Lladro figurine collection (20)

\$1,900.00

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

- ☒ No
☐ Yes. Describe.....

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

- ☒ No
☐ Yes. Describe.....

Official Form 106A/B

Schedule A/B: Property

page 2

Debtor 1 **Jamie Lynn Gallian**

Case number (if known) **8:21-bk-11710-ES**

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

- ☐ No
☒ Yes. Describe.....

Misc. clothing

Location: 16222 Monterey Lane, Space 376, Huntington Beach CA 92649

\$1,000.00

12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

- ☐ No
☒ Yes. Describe.....

Movado wrist watch (20 yrs. old); costume jewelry, misc. non-gold chains/bracelets, and earrings.

Location: 16222 Monterey Lane, Space 376, Huntington Beach CA 92649

\$1,000.00

13. Non-farm animals

Examples: Dogs, cats, birds, horses

- ☐ No
☒ Yes. Describe.....

5-year old Wired Terrier Dog

\$25.00

14. Any other personal and household items you did not already list, including any health aids you did not list

- ☒ No
☐ Yes. Give specific information.....

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$8,925.00

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

16. Cash

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

- ☒ No
☐ Yes.....

17. Deposits of money

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

- ☐ No
☒ Yes..... Institution name:

17.1. **EDD Debit account Bank of America**

\$3,793.00

17.2. **Savings Alliant Credit Union--Only funds are Covid-19 relief funds from the government.**

\$1,407.00

Debtor 1 **Jamie Lynn Gallian**

Case number (if known) **8:21-bk-11710-ES**

17.3. **Savings**

Alliant Credit Union--Only funds are Covid-19 relief funds from the government.

\$2,600.00

18. **Bonds, mutual funds, or publicly traded stocks**

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

☒ No

☐ Yes.....

Institution or issuer name:

19. **Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture**

☐ No

☒ Yes. Give specific information about them..... Name of entity:

% of ownership:

19.1 **J-Sandcastle Co, LLC- Assets include a bank account of less than \$1,000.**

Debtor peacefully resided at 4476 Alderport since 11/23/2009. On 8/5/2018, debtor was battered at her home in HOA. Criminal charges PC §242 were filed; trial is pending 19WM00951. Request for victim restitution. Debtor moved out of the HOA-Alderport home out of fear on 9/11/18. On 9/11/2018, a three year residential property lease 5782 Pinon Dr signed. Debtors Alderport home sold on 10/31/2018. Debtor purchased investment rental property on 11/1/2018 within TRACT 10542 APN 178-011-01 located in Huntington Harbour with proceeds from unencumbered sale of her Alderport with the intent of living in the property at the end of the signed lease commitment. Debtors Retirement Funds were completely depleted from 2016-2019 legal expenses incurred defending Gables HOA civil complaints filed against her On 11/8/18, ST Court denied Gables HOA MOTION to freeze debtors equity in the Alderport sale. Debtor executed a Security Agreement and Promissory Note with the LLC dated 11/16/2018, perfected HCD Certificate of Title and UCC-1 on 1/14/2019 No. 19-7691916827. Debtor continued on medical LOA and never returned to her 20 year employment as a Flight Attendant due to the 8/5/18 battery with severe nerve injury. On February 1, 2019, Debtor successfully terminated the 3 year Pinon Drive lease agreement with Landlord Henry Newton. Debtors primary residence is 16222 Monterey Ln. Unit 376, Located on Lot 2 Tract 10542 Unit 4 per 8/7/1979 City of HB.

100 %

\$1,000.00

19.2 **J-PAD, LLC. has a bank account of around \$ 500.00**

100 %

\$ 500.00

20. **Government and corporate bonds and other negotiable and non-negotiable instruments**

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.

Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

☒ No

☐ Yes. Give specific information about them

Issuer name:

21. **Retirement or pension accounts**

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

☐ No

☒ Yes. List each account separately.

Type of account:

Institution name:

IRA

Fidelity

\$7,400.00

22. **Security deposits and prepayments**

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☒ No

Yes.....

Institution name or individual:

23. **Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)**

☒ No

☐ Yes.....

Issuer name and description.

24. **Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.**

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

Official Form 106A/B

Schedule A/B: Property

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Software Copyright (c) 1996-2021 Best Case, LLC - www.bestcase.com

Best Case Bankruptcy

Debtor 1 **Jamie Lynn Gallian**

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☒ No

☐ Yes..... Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c);

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit

☒ No

☐ Yes. Give specific information about them...

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

☒ No

☐ Yes. Give specific information about them...

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

☒ No

☐ Yes. Give specific information about them...

Money or property owed to you?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

28. Tax refunds owed to you

☒ No

☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☒ No

☐ Yes. Give specific information.....

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☒ No

☐ Yes. Give specific information..

31. Interests in insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☒ No

☐ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund value:

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☐ No

☒ Yes. Give specific information..

32.1

Probate estate of Charles J. Bradley, Jr. Case No. 30-2017-00915711. Uncertain what, if any, proceeds will pass to debtor.

Unknown

32.2

"Creditor's claim" in probate estate of Charles Bradley filed by debtor for \$1 million. Unknown whether any recovery will be awarded or available.

Unknown

Debtor 1 **Jamie Lynn Gallian**

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33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☒ No

☐ Yes. Describe each claim.....

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims

☐ No

☒ Yes. Describe each claim.....

34.1

Potential claim for bad faith denial of insurance against Mercury Insurance Company failure to defend/indemnify HOA Civil Action filed 4/11/2017, 18 days after title recorded. Debtor purchased homeowners insurance policy on 3/22/17

Unknown

34.2

Potential Victim Restitution Award from Jesus Jesus Jr, for battery 8/5/2018. Criminal Case pending 19WM09951. Estimated economic damages exceed \$73,000.00

Unknown

34.3

Claim against Houser Bros Co. dba Rancho Del Rey Mobilehome Estates for Violation(s) of Davis Stirling Act, MRL §798, et seq. multiple acts of retaliation, discrimination, trespassing/unlawful entry; forcible detainer, wrongful eviction, failure to timely pursue/prosecute frivolous UD claim pending since 1/2/19. Failure to apply to CA Covid19 Relief after debtor delivered 9/7/20 Declaration of Covid afflictions and hardship. No lawsuit yet filed.

Unknown

34.4

Personal Injury claim against Huntington Beach Gables HOA; Jesus Jasso, Jr. Case No. 30-2020-01153679. Estimated damages \$195,000.

Unknown

34.5 Potential Claim against Master Lessor, Houser Company, Lessor(s) BS Investors, LP, S4 I, GP due to overpayment of Ground Leasehold fees charged to Consumers. Master Lessor Houser Company recorded Annexation approx. 8/17/1979. The Original Tenant Robert P. Warmington, an Ind., ro Sublessor RPW, Co. and Houser Bros Co dba Rancho Del Rey MHE misrepresent to consumers Fee Interest vs. Air-Space Condominium Project within Parcel 1 & Parcel 2; Ground Leases recorded in violation of known City of Huntington Beach Ordinance from City Attorney. Master Lessor, Tenant, & RPW, Co recorded 1979 Ground Lease and Subcondominium Lease on APN 178-011-01, and not APN 178-771-03. Only easements were recorded. Additionally, Lessors Amended CC&Rs 8/5/1980 after Final Subdivision Report was issued by DRE July 1980, without Notice to Consumers or providing NT of Copy of Rec, First Amendment to CC&Rs Doc No. 1980-5002. Subsequently in 2005, Craig Houser, RDRMHE recorded Amendment to all 80 Ground Leases without Notice to Park Consumers or Gables HOA Consumers. Huntington Beach Gables HOA has a cross-complaint pending in the ST. Court Case Randall Nickels vs. Huntington Beach Gables HOA, et al. 30-2020-01163055-CU-OR-CJC which the HOA seeks a voiding of the sale and Assignment of unexpired term of Subcondominium Leasehold APN 937-63-053, on October 31, 2018, from Debtor to bona fide purchaser Randall Nickels. Potential Cross-Petition not yet filed.

Unknown

35. Any financial assets you did not already list

☐ No

☒ Yes. Give specific information..

CA COVID-19 Rent Relief Award 10/27/2021, post petition tendered to Houser Bros Co. Ck No. 58066665 \$ 24,301.55. Not property of the estate.

\$ 0.00

35.1

☒ Yes.

Bank of America Cashier's Check [uncashed] tendered rent chk Houser Bros Co. Not property of the estate. \$ 14,118.00

\$ 0.00

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....

\$ 16,700.00

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.

Official Form 106A/B

Schedule A/B: Property

page 6

Software Copyright (c) 1996-2021 Best Case, LLC - www.bestcase.com

Best Case Bankruptcy

Debtor 1 **Jamie Lynn Gallian**

Case number (if known) **8:21-bk-11710-ES**

37. Do you own or have any legal or equitable interest in any business-related property?

- ☒ No. Go to Part 6.
☐ Yes. Go to line 38.

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

- ☒ No. Go to Part 7.
☐ Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

- ☒ No
☐ Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Part 8: List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2	\$235,000.00
56. Part 2: Total vehicles, line 5	\$0.00
57. Part 3: Total personal and household items, line 15	\$ 8,925.00
58. Part 4: Total financial assets, line 36	\$ 16,700.00
59. Part 5: Total business-related property, line 45	\$0.00
60. Part 6: Total farm- and fishing-related property, line 52	\$0.00
61. Part 7: Total other property not listed, line 54	\$0.00
62. Total personal property. Add lines 56 through 61...	\$25,625.00 Copy personal property total \$25,625.00
63. Total of all property on Schedule A/B. Add line 55 + line 62	\$260,625.00

8↓

EXHIBIT B

EXHIBIT B

**STATE OF CALIFORNIA - DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
CERTIFICATE OF TITLE**

Manufactured Home

Decal: LBM1081

Manufacturer ID/Name 90002 SKYLINE HOMES INC	Trade Name CUSTOM VILLA	Model		DOM 05/29/2014	DFS 07/28/2014	RY
Serial Number AC7V710394GB AC7V710394GA	Label/Insignia Number PFS1130281 PFS1130282	Weight 22,383 25,068	Length 56' 60'	Width 15' 2" 15' 2"	Issued Aug 12, 2021	

Addressee

J-PAD LLC
21742 ANZA AVE
TORRANCE, CA 90503

Registered Owner(s)

JAMIE LYNN GALLIAN
16222 MONTEREY LN SPACE 376
HUNTINGTON BEACH, CA 92649

Situs Address

16222 MONTEREY LN SPACE 376
HUNTINGTON BEACH, CA 92649

Legal Owner(s)

J-PAD LLC
21742 ANZA AVE
TORRANCE, CA 90503

Lien Perfected On: 01/14/19 15:22:00

IMPORTANT

THE OWNER INFORMATION SHOWN ABOVE MAY NOT REFLECT ALL LIENS RECORDED WITH THE
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AGAINST THE DESCRIBED UNIT. THE
CURRENT TITLE STATUS OF THE UNIT MAY BE CONFIRMED THROUGH THE DEPARTMENT.

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

MINUTE ORDER

DATE: 03/06/2019

TIME: 08:30:00 AM

DEPT: C61

COMMISSIONER: Carmen Luege

CLERK: Ryan Castillo

REPORTER/ERM:

BAILIFF/COURT ATTENDANT: C. Gonzalez

CASE NO: 30-2018-01013582-CL-UD-CJC CASE INIT.DATE: 08/21/2018

CASE TITLE: Houser Bros. Co. vs. Ryan

CASE CATEGORY: Civil - Limited CASE TYPE: Unlawful Detainer - Residential

EVENT ID/DOCUMENT ID: 72999194

EVENT TYPE: Ex Parte

MOVING PARTY: Jamie L Gallan

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other, 03/05/2019

EVENT ID/DOCUMENT ID: 72999195

EVENT TYPE: Ex Parte

MOVING PARTY: Jamie L Gallan

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other, 03/05/2019

APPEARANCES

Vivienne J. Alston, from Alston, Alston & Diebold Attorneys at Law, present for Plaintiff(s).

Jamie L Gallan, self represented Interested Party, present.

Proceedings recorded electronically.

Ex-Parte application for reconsideration to intervene and TRO to stay writ of possession is requested by Jaime Gallan.

Ex-parte Application is read and considered.

The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

The motion for reconsideration to intervene and TRO to stay writ of possession is GRANTED .

The Court allows Gallian to intervene as to the writ of possession execution in this case. The Court finds there was improper execution as the judgment was against Lisa Ryan and all unknown occupants. On 1/2/2019, Plaintiff filed an unlawful detainer for the premises address in this matter against Jamie Gallian. The Court finds on these facts, Jamie Gallian is NOT an unknown occupant.

The Court orders Plaintiff to place Jamie Gallian back in possession by 5:00 PM today.



DATE: 03/06/2019

MINUTE ORDER

DEPT: C61

Page 1
Calendar No.

12

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: VIVIENNE J ALSTON FIRM NAME: ALSTON ALSTON & DIEBOLD STREET ADDRESS: 27201 PUERTA REAL, STE 300 CITY: MISSION VIEJO TELEPHONE NO.: 714 556 9400 E-MAIL ADDRESS: valston@aadlawyers.com ATTORNEY FOR (name): HOUSER BROS. CO. <input checked="" type="checkbox"/> ORIGINAL JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD		STATE BAR NO. 170746 STATE: CA ZIP CODE: 92691 FAX NO. 714 556 9500		FOR COURT USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 700 CIVIC CENTER DRIVE WEST MAILING ADDRESS: CITY AND ZIP CODE: SANTA ANA CA 92701 BRANCH NAME: CENTRAL JUSTICE CENTER				Forsuant to California Government Code § 68150(d), the Clerk of the Court hereby certifies this document accurately reflects the official court record. The electronic signature and seal on this document have the same validity and legal force and effect as an original clerk's signature and court seal. California Government Code § 68150(d)(1)	
Plaintiff: HOUSER BROS. CO. Defendant: LISA RYAN				CASE NUMBER: 30 2018 01013582 CLUDCJC	
WRIT OF <input type="checkbox"/> EXECUTION (Money Judgment) <input checked="" type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> SALE <input checked="" type="checkbox"/> Real Property				<input checked="" type="checkbox"/> Limited Civil Case (Including Small Claims) <input type="checkbox"/> Unlimited Civil Case (Including Family and Probate)	

1. To the Sheriff or Marshal of the County of: ORANGE COUNTY
You are directed to enforce the judgment described below with daily interest and your costs as provided by law.
2. To any registered process server: You are authorized to serve this writ only in accordance with CCP 699.080 or CCP 715.040.
3. (Name): HOUSER BROS. CO., a California general partnership dba RANCHO DEL REY MOBILE HOME ESTATES
is the ☒ original judgment creditor ☐ assignee of record whose address is shown on this form above the court's name.
4. Judgment debtor (name, type of legal entity if not a natural person, and last known address):

LISA RYAN
16222 Monterey Lane, Space 376
Huntington Beach, California 92649

9. ☒ See next page for information on real or personal property to be delivered under a writ of possession or sold under a writ of sale.
10. ☐ This writ is issued on a sister-state judgment.
- For Items 11-17, see form MC-012 and form MC-013-INFO
- | | |
|---|---------|
| 11. Total judgment (as entered or renewed) | \$ |
| 12. Costs after judgment (CCP 685.090) | \$ |
| 13. Subtotal (add 11 and 12) | \$ |
| 14. Credits to principal (after credit to interest) | \$ |
| 15. Principal remaining due (subtract 14 from 13) | \$ |
| 16. Accrued interest remaining due per CCP 685.050(b) (not on GC 6103.5 fees) | \$ |
| 17. Fee for issuance of writ | \$25.00 |
| 18. Total (add 15, 16, and 17) | \$25.00 |
19. Levying officer:
- a. Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) \$
- b. Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637; CCP 699.520(f)) \$
20. ☐ The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.

☐ Additional judgment debtors on next page

5. Judgment entered on (date):
10- / 8 -2018
6. ☐ Judgment renewed on (dates):
7. Notice of sale under this writ
a. ☒ has not been requested.
b. ☐ has been requested (see next page).
8. ☐ Joint debtor information on next page.

[SEAL]



David H. Yamasaki, Clerk of the Court

Issued on (date): 11/14/2018

Clerk, by

David H. Yamasaki

NOTICE TO PERSON SERVED: SEE PAGE 3 FOR IMPORTANT INFORMATION

RECEIVED
O.C. SHERIFFS DEPT
CENTRAL JUSTICE SERVICES
2018 NOV 14 PM 4:10
D. Cuevas
Deputy

Plaintiff: HOUSER BROS. CO. Defendant: LISA RYAN	CASE NUMBER: 30 2018 01013582 CLUDCJC	EJ-130
---	--	--------

21. ☐ Additional judgment debtor (name, type of legal entity if not a natural person, and last known address):
22. ☐ Notice of sale has been requested by (name and address):
23. ☐ Joint debtor was declared bound by the judgment (CCP 989-994)
- a. on (date):
- b. name, type of legal entity if not a natural person, and last known address of joint debtor:
- a. on (date):
- b. name, type of legal entity if not a natural person, and last known address of joint debtor:
- c. ☐ Additional costs against certain joint debtors are itemized: ☐ Below ☐ On Attachment 23c
24. ☒ (Writ of Possession or Writ of Sale) Judgment was entered for the following:
- a. ☒ Possession of real property: The complaint was filed on (date): 8-21-2018
(Check (1) or (2). Check (3) if applicable. Complete (4) if (2) or (3) have been checked.)
- (1) ☒ The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
- (2) ☐ The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.
- (3) ☐ The unlawful detainer resulted from a foreclosure sale of a rental housing unit. (An occupant not named in the judgment may file a Claim of Right to Possession at any time up to and including the time the levying officer returns to effect eviction, regardless of whether a Prejudgment Claim of Right to Possession was served.) (See CCP 415.46 and 1174.3(a)(2).)
- (4) If the unlawful detainer resulted from a foreclosure (item 24a(3)), or if the Prejudgment Claim of Right to Possession was not served in compliance with CCP 415.46 (item 24a(2)), answer the following:
- (a) The daily rental value on the date the complaint was filed was \$36.20
- (b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify):
- b. ☐ Possession of personal property.
☐ If delivery cannot be had, then for the value (itemize in 24e) specified in the judgment or supplemental order.
- c. ☐ Sale of personal property.
- d. ☐ Sale of real property.
- e. The property is described: ☒ Below ☐ On Attachment 24e
- 16222 Monterey Lane, Space 376, Huntington Beach, California 92649

£Z

Plaintiff: HOUSER BROS. CO. Defendant: LISA RYAN	CASE NUMBER: 30 2018 01013582 CLUDCJC	EJ-130
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NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will demand that you turn over the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

EXCEPTION IF RENTAL HOUSING UNIT WAS FORECLOSED. If the residential property that you are renting was sold in a foreclosure, you have additional time before you must vacate the premises. If you have a lease for a fixed term, such as for a year, you may remain in the property until the term is up. If you have a periodic lease or tenancy, such as from month-to-month, you may remain in the property for 90 days after receiving a notice to quit. A blank form *Claim of Right to Possession and Notice of Hearing* (form CP10) accompanies this writ. You may claim your right to remain on the property by filling it out and giving it to the sheriff or levying officer.

EXCEPTION IF YOU WERE NOT SERVED WITH A FORM CALLED PREJUDGMENT CLAIM OF RIGHT TO POSSESSION. If you were not named in the judgment for possession and you occupied the premises on the date on which the unlawful detainer case was filed, you may object to the enforcement of the judgment against you. You must complete the form *Claim of Right to Possession and Notice of Hearing* (form CP10) and give it to the sheriff or levying officer. A blank form accompanies this writ. You have this right whether or not the property you are renting was sold in a foreclosure.

TO (Name and Address): Lisa Ryan 16222 Monterey Lane Space 376 Huntington Beach, CA 92649	LEVYING OFFICER (Name and Address): Orange County Sheriff's Office Sheriff's Civil Division Suite 2 909 N. Main Street Santa Ana, CA 92701 (714) 569-3700 Fax: (714) 569-2368 California Relay Service Number (800) 735-2929 TDD or 711
NAME OF COURT, JUDICIAL DISTRICT or BRANCH COURT, IF ANY: Orange County Superior Court 700 Civic Center Drive West Santa Ana, CA 92701 Central Justice Center	(714) 569-3700 Fax: (714) 569-2368 California Relay Service Number (800) 735-2929 TDD or 711
PLAINTIFF: Houser Bros Co DEFENDANT: Lisa Ryan	COURT CASE NO.: 30 2018 01013582 CLUDCJC
Notice to Vacate	LEVYING OFFICER FILE NO.: 2018517508

By virtue of the Writ of Execution for Possession/Real Property (eviction), issued out of the above court, you are hereby ordered to vacate the premises described on the writ.

Eviction Address:	16222 Monterey Lane Space 376 Huntington Beach, CA 92649
--------------------------	---

Final notice is hereby given that possession of the property must be turned over to the landlord on or before:

Final notice is hereby given that possession of the property must be turned over to the landlord on or before:	Monday, December 03, 2018 6:01 AM
---	--

Should you fail to vacate the premises within the allotted time, I will immediately enforce the writ by removing you from the premises. All personal property upon the premises at the time will be turned over to the landlord, who must return said personal property to you upon your payment of the reasonable cost incurred by the landlord in storing the property from the date of eviction to the date of payment. If the property is stored on the landlord's premises, the reasonable cost of storage is the fair rental value of the space necessary for the time of storage. If you do not pay the reasonable storage costs and take possession within fifteen (15) days, the landlord may either sell your property at a public sale and keep from the proceeds of the sale the costs of storage and of the sale (1988 CCC), or, if the property is valued at less than \$700.00, the landlord may dispose of your property or retain it for his own use. (715.010(b)(3), 1174 CCP)

If you claim a right of possession of the premises that accrued prior to the commencement of this action, or if you were in possession of the premises on the date of the filing of the action and you are not named on the writ, complete and file the attached Claim of Right of Possession form with this office. No claim of right to possession can be filed if box 24a(1) located on the back of the writ is checked.



**Sandra Hutchens
Sheriff-Coroner**

By: _____
Sheriff's Authorized Agent

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CIVIL COMPLEX CENTER

MINUTE ORDER

DATE: 12/04/2018

TIME: 01:30:00 PM

DEPT: CX103

JUDICIAL OFFICER PRESIDING: Ronald L. Bauer

CLERK: Larry S Brown

REPORTER/ERM: None

BAILIFF/COURT ATTENDANT:

CASE NO: 30-2018-01035730-CU-PT-CJC CASE INIT.DATE: 12/04/2018

CASE TITLE: Gallian vs. Bros

CASE CATEGORY: Civil - Unlimited CASE TYPE: Petitions - Other

EVENT ID/DOCUMENT ID: 72940663,107089011

EVENT TYPE: Ex Parte

MOVING PARTY: Jamie L Gallian

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other For Temporary Restraining Order,
12/04/2018

APPEARANCES

Jamie L Gallian, self represented Petitioner, present.

Vivienne J. Alston from Alston, Alston & Diebold present for Deft. Houser Bros.

Kathryn Curtiss of Houser Bros, present

Plaintiff's Ex Parte Application for (1) Temporary Restraining Order to Prevent Civil Harassment and Order to Show Cause for Permanent Injunction (2) Acknowledgment of Satisfaction of Judgment (3) to Determine the Rightful Owner and Possession of Personal Property, the Manufactured Home located at 16222 Monterey Lane, #376, Huntington Beach, CA 92649

The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows: the Ex Parte Application is granted

The Court issues a Temporary Restraining Order against eviction of Plaintiff by Defendant, pending a hearing on Preliminary Injunction to be held on 01/02/2019 at 9:00 a.m. in Department CX103.

Opposition to be filed by 12/21/2018.

The formal order was signed this date.

Parties waive notice.

DATE: 12/04/2018

MINUTE ORDER

DEPT: CX103

Page 1
Calendar No.

ELAINE B. ALSTON
VIVIENNE J. ALSTON
DONALD A. DIEBOLD

ALSTON, ALSTON & DIEBOLD

TELEPHONE (714) 556-9400
FACSIMILE (714) 556-9500

27201 PUERTA REAL
SUITE 300
MISSION VIEJO, CALIFORNIA 92691

OUR FILE NO: 1510.

December 10, 2018

FIVE (5) DAY DEMAND
FOR SURRENDER OF POSSESSION OF SITE

To: Jamie Gallian and All Unlawful Occupants and Persons in Possession Without a Signed Rental Agreement ("Occupants"):

NOTICE IS HEREBY GIVEN that management of the mobilehome park commonly known as:

Rancho Del Rey
16222 Monterey Lane
Huntington Beach, CA 92649
(referred to as "Park" herein)

HEREBY DEMANDS that the Occupants named above, and each of them, quit the premises in the Park and surrender possession thereof commonly described as:

Space376
(referred to as "site" herein)

WITHIN FIVE (5) DAYS FROM AND AFTER SERVICE OF THIS NOTICE, and that said surrender of the mobilehome site be made to the park manager(s), who is authorized to receive the same on behalf of the management.

Civil Code Section 798.75 authorizes forcible detainer proceedings against any occupant of a mobilehome park who does not have rights of tenancy and is not otherwise entitled to occupy the premises, upon failure of the occupants to quit the premises within five (5) days after service of a demand for surrender of the site.

This notice is served with reference to the following facts, inter alia, upon which said demand is now hereby made:

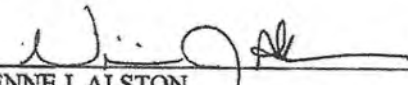
That you have actual and physical possession of the site, without permission from park management, and without right or authority under a rental agreement or otherwise. Based upon the foregoing facts, management is authorized to pursue its legal remedies to obtain possession of the site from all such Occupants having no right of tenancy or possession.

J Galian
and All Unlawful Occupants
December 10, 2018
Page 2

THIS NOTICE IS INTENDED AS A FIVE (5) DAY DEMAND TO SURRENDER POSSESSION AND NOTICE TO QUIT AS PER CIVIL CODE SECTION 798.75. SHOULD YOU FAIL TO QUIT AND SURRENDER POSSESSION AS HEREBY DEMANDED, LEGAL PROCEEDINGS SHALL BE INSTITUTED FOR RESTITUTION OF POSSESSION OF THE PREMISES, REASONABLE RENTAL VALUE, DAMAGES INCIDENTAL TO OCCUPANTS WRONGFUL UNLAWFUL OCCUPATION OF THE SITE, AND ATTORNEYS' FEES AND COSTS, AND STATUTORY DAMAGES.

ALSTON, ALSTON & DIEBOLD

Dated: December 10, 2018

By: 
VIVIENNE J. ALSTON
Authorized Agent for Owner

cc: Client
Park Manager

TO (Name and Address): Lisa Ryan 16222 Monterey Lane Space 376 Huntington Beach, CA 92649		LEVYING OFFICER (Name and Address): Orange County Sheriff's Office Sheriff's Civil Division Suite 2 909 N. Main Street Santa Ana, CA 92701	
NAME OF COURT, JUDICIAL DISTRICT or BRANCH COURT, IF ANY: Orange County Superior Court 700 Civic Center Drive West Santa Ana, CA 92701 Central Justice Center		(714) 569-3700 Fax: (714) 569-2368 California Relay Service Number (800) 735-2929 TDD or 711	
PLAINTIFF: Houser Bros Co DEFENDANT: Lisa Ryan		COURT CASE NO.: 30 2018 01013582 CLUDCJC	
Notice to Vacate		LEVYING OFFICER FILE NO.: 2018517508	

By virtue of the Writ of Execution for Possession/Real Property (eviction), issued out of the above court, you are hereby ordered to vacate the premises described on the writ.

Eviction Address:	16222 Monterey Lane Space 376 Huntington Beach, CA 92649
--------------------------	---

Final notice is hereby given that possession of the property must be turned over to the landlord on or before:

Final notice is hereby given that possession of the property must be turned over to the landlord on or before:	Sunday, January 20, 2019 6:01 AM
---	---

Should you fail to vacate the premises within the allotted time, I will immediately enforce the writ by removing you from the premises. All personal property upon the premises at the time will be turned over to the landlord, who must return said personal property to you upon your payment of the reasonable cost incurred by the landlord in storing the property from the date of eviction to the date of payment. If the property is stored on the landlord's premises, the reasonable cost of storage is the fair rental value of the space necessary for the time of storage. If you do not pay the reasonable storage costs and take possession within fifteen (15) days, the landlord may either sell your property at a public sale and keep from the proceeds of the sale the costs of storage and of the sale (1988 CCC), or, if the property is valued at less than \$700.00, the landlord may dispose of your property or retain it for his own use. (715.010(b)(3), 1174 CCP)

If you claim a right of possession of the premises that accrued prior to the commencement of this action, or if you were in possession of the premises on the date of the filing of the action and you are not named on the writ, complete and file the attached Claim of Right of Possession form with this office. No claim of right to possession can be filed if box 24a(1) located on the back of the writ is checked.



**Don Barnes
Sheriff-Coroner**

By: *Renee #6146*
Sheriff's Authorized Agent

62

TO (Name and Address): Lisa Ryan 16222 Monterey Lane Space 376 Huntington Beach, CA 92649		LEVYING OFFICER (Name and Address): Orange County Sheriff's Office Sheriff's Civil Division Suite 2 909 N. Main Street Santa Ana, CA 92701	
NAME OF COURT, JUDICIAL DISTRICT or BRANCH COURT, IF ANY: Orange County Superior Court 700 Civic Center Drive West Santa Ana, CA 92701 Central Justice Center		(714) 569-3700 Fax: (714) 569-2368 California Relay Service Number (800) 735-2929 TDD or 711	
PLAINTIFF: Houser Bros Co DEFENDANT: Lisa Ryan		COURT CASE NO.: 30 2018 01013582 CLUDCJC	
Eviction Restoration Notice		LEVYING OFFICER FILE NO.: 2018517508	

To: Evicted Tenants, Property Owners, Their Agents and The Local Police:

By virtue of a Writ of Execution for Possession of Real Property, the following property was restored to the landlord on:

Eviction Date:	3/64/19 12:30 PM
Eviction Address:	16222 Monterey Lane Space 376 Huntington Beach, CA 92649

Pursuant to Penal Code Sections 419 and 602, and judgment debtor, any persons removed by the Sheriff or Marshal, or any person not authorized by the landlord, who enters the real property after eviction, may be subject to arrest.

Pursuant to California Civil Procedure sections 715.010(b)(3) and 715.030, all personal property left on the premises has been turned over to the landlord. The landlord is responsible for the safe keeping of tenant's property for fifteen (15) days from the date of eviction. The landlord may charge a reasonable fee for removal and storage of the property. However, upon demand of the tenant, the landlord must return the tenant's property if the tenant pays all costs incurred by the property owner for storage and maintenance. If the costs are not paid by the tenant and the tenant does not take possession of the property left behind before the end of the fifteen (15) day period, the landlord may either sell the property at public sale and keep from the proceeds of the sale the costs of storage and of the sale (1988 CCC), if the property is valued at less than \$700.00, the landlord may dispose of the property or retain it for his own use. (1174 CCP)



Date:

3/14/19

Don Barnes
Sheriff-Coroner

By:

JGR 4252
Sheriff's Authorized Agent

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER**

MINUTE ORDER

DATE: 03/06/2019

TIME: 08:30:00 AM

DEPT: C61

COMMISSIONER: Carmen Luege

CLERK: Ryan Castillo

REPORTER/ERM:

BAILIFF/COURT ATTENDANT: C. Gonzalez

CASE NO: 30-2018-01013582-CL-UD-CJC CASE INIT.DATE: 08/21/2018

CASE TITLE: Houser Bros. Co. vs. Ryan

CASE CATEGORY: Civil - Limited CASE TYPE: Unlawful Detainer - Residential

EVENT ID/DOCUMENT ID: 72999194

EVENT TYPE: Ex Parte

MOVING PARTY: Jamie L Gallan

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other, 03/05/2019

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EVENT TYPE: Ex Parte

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APPEARANCES

Vivienne J. Alston, from Alston, Alston & Diebold Attorneys at Law, present for Plaintiff(s).
Jamie L Gallan, self represented Interested Party, present.

Proceedings recorded electronically.

Ex-Parte application for reconsideration to intervene and TRO to stay writ of possession is requested by Jaime Gallan.

Ex-parte Application is read and considered.

The Court having fully considered the arguments of all parties, both written and oral, as well as the evidence presented, now rules as follows:

The motion for reconsideration to intervene and TRO to stay writ of possession is GRANTED .

The Court allows Gallian to intervene as to the writ of possession execution in this case. The Court finds there was improper execution as the judgment was against Lisa Ryan and all unknown occupants. On 1/2/2019, Plaintiff filed an unlawful detainer for the premises address in this matter against Jamie Gallian. The Court finds on these facts, Jamie Gallian is NOT an unknown occupant.

The Court orders Plaintiff to place Jamie Gallian back in possession by 5:00 PM today.

DATE: 03/06/2019

DEPT: C61

MINUTE ORDER

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